

REMARKS

Reconsideration of the rejections of claims 1-2, 7-9, 12-13 and 22 as being anticipated by Kobayashi et al. ('217) under 35 U.S.C. 102(b) is requested. As amended, claim 1 requires "a vent port valve formed to include a central aperture receiving the upright interior wall therein and mounted for movement in the upstream passageway relative to the upright interior wall..." In Kobayashi et al. the valve is member 12 located internally of the upright wall and the valve aperture 10 is in the upright wall. Further, it is not in the upstream passageway. Accordingly, claim 1 and its dependent claims 12-13 clearly define over Kobayashi et al. Claim 7 (which has been rewritten in independent form) recites "a vent port valve mounted for movement in the upstream passageway in an actually upward direction to a closed position engaging the valve seat enclosing the at least one vent port in an actually downward direction to an open position disengaging at least a portion of the valve seat and opening the vent port to allow fuel vapors to flow in a radial direction through the vent port from the upstream passageway into the discharged chamber..." In Kobayashi et al. the valve seat is located horizontally with the flow therethrough being vertically and hence does not meet the above limitation in claims 7. Dependent claims 8-9 thus avoid Kobayashi et al. Claim 22 has been amended to state that "the valve housing further including a partition arranged in the interior region to extend from the bottom wall to the top wall and formed to include a vent port configured to communicate fuel vapor admitted into the interior region through the inlet port to the outlet port." The wall 9 of Kobayashi et al. does not extend as claimed and cannot extend as claimed since the float 6 needs to move above it. Accordingly, claim 22 distinguishes over Kobayashi et al. In view of the above, reconsideration of this rejection is requested.

Reconsideration of the rejection of claims 1-2 as being anticipated by Billeter et al. ('972) under 35 U.S.C. 102(b) is requested. As indicated, claim 1 has been amended to recite a "vent port valve formed to include a central aperture receiving the upright interior wall therein and mounted for movement in the upstream passageway relative to the upright interior wall..." In Billeter et al. the valve member 221, 222, 223 is located within the chamber and does not receive the upright interior wall therein. Accordingly, reconsideration of this rejection is requested.

Reconsideration of the rejection of claims 9 and 28-29 as being indefinite under 35 U.S.C. 112 is requested. The Examiner's suggested changes have been made.

The indicated allowability of claims 3-6, 10-11, 14-21, 23-32 is noted. As is the allowance of claims 33-34. In view of the above, the application is now believed to be in condition for allowance and such is respectfully requested.

Examiner Michalsky is thanked for the courtesies extended during the recent interview wherein the above amendment and comments were discussed. The Examiner's Interview Summary form appears to be an accurate and proper summary of the discussions during the interview.

It is respectfully requested, if necessary to effect a timely response, that this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages and other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (3177-69461).

Respectfully submitted,

BARNES & THORNBURG



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